

**TOWN OF KESINGTON
BOARD OF SELECTMEN
Meeting Minutes
September 21, 2015**

In attendance: Norman DeBoisbriand, Robert Wadleigh and Peter Merrill. Normal motioned to open the public session of the meeting at 7:22pm. Bob seconded the motion and all were in favor.

CITIZENS FORUM

DEPARTMENT HEADS

Building Inspector- Norman Giroux

Norman presented two permits for approval. The first was a continuation of the permit approved for KIC 98 Amesbury Road. Bruce Cilley was in attendance to support the permit. Mr. Giroux explained that Bruce had received approval by the Planning Board for the full foundation for the double-decked porch. The permit presented this evening was for a concrete ramp for accessibility and a new porch to replace the existing one on the front of the building. Bruce questioned the fee assessment for this permit. He questioned when fees started being assessed separately. The fee assessed for this permit was \$252.20. Norman Giroux noted that fees has not been assessed this way in the past, but in an effort to bring the fee schedule up to date, the town would start to assess fees differently. Bruce noted that the change has not been explained anywhere on the permit or the town website. The Selectmen agreed that since the work session for the new fee assessment had not been completed and for the sake of being consistent, they were willing to amend the fees assessed back to .10cents per square foot. For the purpose of this permit, Mr. Giroux adjusted the fee and charged KIC 98 Amesbury \$90.60. Bruce agreed to the fee. Norman motioned to approve the permit for 98 Amesbury Road. Peter seconded and all were in favor.

The second permit was for 50 Cottage Road for a 12'x 16" shed. It will not have electricity and meets the required setbacks. Peter motioned to approve the permit, Mr. DeBoisbriand seconded and all were in favor.

Mr. Giroux asked to set a date to continue the work session to complete the updating of the fee schedule for building permits. The Selectmen agreed on September 28, 2015 at 7:00 in the KES Library.

Fire Chief- Charles LeBlanc

The Fire Chief presented an application for membership. He gave the Selectmen the application for Anthony Previte of 6 Olivia Lane in Kensington. He noted that he Mr. Previte will not be driving any of the vehicles yet. He also told the Selectmen that Mr. Previte is interested in taking EMT classes. Norman made a motion to approve the application, Peter seconded and all were in favor. Chief LeBlanc thanked the Selectmen.

The Chief informed the Selectmen that September is now the month to have all municipal vehicles inspected. The inspection is now good for the duration of one year.

Road Manager- David Buxton

Mr. Buxton told the Selectmen he received the wetland approval for the Kimball Road culvert project. He informed the Selectmen he had three quotes for sand. M. Bradshaw came in with the lowest quote and he asked permission to seek the final quote in writing for 1,000 tons of sand to be delivered to 211 South Road. The sand purchase should total \$12,000. Peter asked David about the moisture content of the sand. Mr. Buxton offered there is a moisture content of approximately 6% after drying per NH DOT.

He told the Selectmen the signs for Kimball Road weight limits are in. He also told the Selectmen he is in the process of doing a town-wide patching of potholes. Peter asked Mr. Buxton to take a look at the culvert on Route 108 seems to be washing out. He said he would take a look and report back. Kathleen told David that she received a concern regarding trees on Stumpfield Road near the Jones residence. Mr. Buxton offered to take a look and report back.

Emergency Management-Robert Gustafson

Robert informed the Selectman that he continues to attend meetings, the latest being a meeting regarding the Seabrook drill to be conducted in April. He has another meeting at Pease on October 15. He will continue to update the Selectmen.

Assessing- Kathleen Felch

Kathleen offered several park permits for approval. They follow:

A verbal agreement for a birthday party which had already taken place on September 12, 2015

KYAA soccer for Wednesday during the time period 9/16 – 10/28 from 5:00 to 8:00 pm. They will submit updated insurance paperwork

October 7 - Kensington Elementary School for a Cross Country meet.

October 17- Krempels King of the Road Bike Challenge

Peter suggested telling permit seekers that may need to mark wooded trails (Kensington X-C etc) they are not allowed to mark trails with spray paint. Kathleen agreed to impart the restriction to those seeking permits for park use. Norman made a motion to approve all of the permits, Bob seconded the motion and all were in favor.

Tax Collection- Carlene Wiggin- nothing to report

Town Clerk- Dawn Frost- not in attendance

Recreation Department- no members in attendance

Conservation Committee- no members in attendance

Kensington Sawyer Trust- Bruce Cilley

Mr. Cilley informed the Selectmen that the aeration and seeding of the fields has been completed. Mr. Cilley asked Kathleen to get park dates to him to help in deciding when it will be feasible to close the bathrooms. Kathleen agreed to do so. Bruce told the Board there is still a tree down at the skate park. The Board asked Mr. Cilley to get an estimate for the removal of the tree. Chief Sanders confirmed that there were two broken “baby swings” at the park. The Chief and Mr. DeBoisbriand removed the swings after receiving a call. The Chief suggested that the swings should be replaced to avoid injury. Mr. Cilley thanked the Chief for the information and swing removal.

Peter asked about the broken rock wall. Bruce said it had not yet been repaired but he would look into getting it fixed. Bruce told the Selectmen the electrical box has been zip-tied shut. Norman asked about the start date for the extended play area. Bruce informed the Board that the Trust was not aware of a Fall Adult Softball League that is currently using the field. He will inform the Board after speaking with other Trust members.

Building Committee- Norman DeBoisbriand

Norman noted he would discuss the special meeting/ deliberative session later in the meeting.

Police Chief- Scott Sanders

Chief Sanders joined the meeting late. Earlier in the evening Chief Sanders awarded several of his officers with certificates to recognize their duties above and beyond expectations. The Selectmen and other Department heads and community members joined Chief Sanders at the ceremony which was held in the KES Music room. Seacoast On-Line covered the events. Chief Sanders thanked the Selectmen for giving him that time to recognize his officers in that venue.

The Chief then told the Selectmen he had received an email questioning the posted ordinance in the park which prohibits firearms. The emailer questioned the towns’ ability to cast jurisdiction over the town park. The Chief informed the Board that the State is the only entity that can enforce the prohibition of firearms. The Chief questioned whether the town should change the sign. The emailer set a scenario in which he would use a firearm to protect himself from a rabid animal. The Chief said he would follow-up with the emailer and keep the Board informed.

NEW BUSINESS

Micha Denner approached the Board regarding a septic waiver for a replacement septic system at 30 Lamprey Road. He explained that the waiver was to build a system that varies from the accepted system used in town. Norman suggested a site visit after reviewing the plans. Peter asked about the cost differential. Mr. Denner did not have an answer at the time.

Peter asked that he please have that information for the site visit so the Board could make an informed decision regarding the waiver.

Norman made a motion for a site visit to 30 Lamprey Road. Bob seconded and all were in favor.

Micha will schedule a time with Kathleen.

The Kuegel pit was walked by Peter Merrill and Eban Lewis from the state. They noted that not all conditions of the remediation plan have been met. There are still efforts that have not been completed. It was noted that the severe slope is an area of concern. The Board will request the owner to come in to discuss the completion of the remediation plan. Kathleen will send a letter.

With regards to the special town meeting, there are two dates that have been set. The first is for the deliberative session which will take place on October 3, 2015 at 4:00pm in the multi-purpose room at KES. The second is the voting day which will occur on Tuesday, November 3, 2015 in the multi-purpose room at KES. These dates were set according to legal suggestion.

Norman made an official motion to have the deliberative session be held on October 3, 2015 at 4:00pm in the multi-purpose room at KES. Peter seconded the motion and all were in favor.

Norman made a second motion to set the voting date for Tuesday, November 3, 2015 in the multi-purpose room at KES. Peter seconded the motion and all were in favor.

Norman noted that Mr. Harold Bragg will set the polling times.

The warrant article approval is set for September 22, 2015. Absentee ballots will be available after the deliberative session. Kathleen will set the marquee in front of the Town Hall advising residents of the deliberative session.

Kathleen received an IT proposal from ByteFixx. The proposal included an hourly rate of \$85.00/hour, an emergency rate of \$125.00/hour, and \$50.00 per incident rate. Norman made a motion to keep ByteFixx for IT support on an hourly basis. Bob seconded and all were in favor.

Mr. Al Brandano of 2 West School Street addressed his concerns to the board regarding a failing culvert. He told the Selectmen that during a rain event of snow melt there is water running down the street from Route 107. He noted the dangerous situation that occurs when the water freezes, making conditions treacherous for drivers. Neighbor, Emergency Manager, Bob Gustafson supported Mr. Brandano's claim. He also noted that the culverts are blocked. Road manager David Buxton told Mr. Brandano that the issue is not a town issue. Bob Wadleigh was asked to check the site with David Buxton and report finding at the next meeting. The Board thanked Mr. Brandano for his time.

Kathleen told the Selectmen she received an email from Julie LaBranche from the Rockingham Planning Committee regarding Lot #4 on Powder Mill Road. In her email Ms. LaBranche site several obstacles that exist which would potentially prevent it from becoming a buildable lot. She specifically noted that a driveway permit would be required from the town of Exeter and possibly a driveway permit may be required from the town of Kensington. She also noted a few items in the deed that may create obstacles for a potential developer. Peter read Ms. LaBranche's email to the Selectmen and others in the room. Norman suggested to Kathleen to get in touch with Exeter to see if she is able to gain information as to whether they are planning to grant a driveway permit. Peter suggested getting in touch with Russell Dean, Exeter Town Manager.

The next Board of Selectmen meeting will be held on October 5, 2015 at the KES library.

OLD BUSINESS

Russell Perry addressed the Board to settle any remaining confusion regarding his concern when the Board entered into non-public session to discuss hiring (July 6, and several other dates through August)

Mr. Perry reiterated the fact that his confusion came when the Board entered non-public session to discuss hiring when there were no posted positions. Mr. Perry noted that he was told there was a process that was being discussed in non-public session. Mr. Perry stated that a process (hiring) does not warrant a non-public discussion, thus the confusion. Norman told Mr. Perry that there was a position in question which did warrant non-public discussion because the hiring process for said position was breached. Norman further informed Mr. Perry that because names were used in discussing the hiring process, the Board did enter into non-public session in order to discuss the situation. Mr. Perry thanked the Selectmen and informed

them he could understand the need for a non-public discussion based on the facts as they were presented to him on this evening of September 21.

Kathleen presented bills for signature to the Board.

Kathleen noted the expiration of the electrical inspector's term. Norman gave Kathleen permission to post the position on the town website.

Kathleen presented a bill schedule from Salmon Falls for \$15,300. Norman made a motion to approve the invoice for \$15,300. Bob seconded and all were in favor. This is for the construction plans for the Town Hall to be created. To be paid out in 2 sections, one upon signature of the agreement, and the other upon completion of the plans.

Kathleen presented the HealthTrust contract to the Selectmen. Bob motioned to have Norman DeBoisbriand be the elected signor. Peter seconded the motion and all agreed.

The Selectmen discussed changing the way the Building Inspector is paid. Kathleen noted they need a public hearing to change the pay structure. All agreed they would like to change the current structure and will follow protocol to do so.

Resident, Tina Favara, emailed a question to the town regarding the "Tavern" sign on Route 107. She was under the impression there were no drinking establishments in town. The Selectmen confirmed there is an active liquor license at the 149 South Road establishment.

Kathleen told the Selectmen she has updated paperwork for the Drinking Water Protection Service. She has removed Lynne as the contact person and offered her name in place, and Norman was decided by the board as an alternative contact.

Kathleen informed the Selectmen of the several social services donation requests. Norman suggested that some of the donations be considered during the budget process to give them a separate line.

Norman suggested that the town should put out feelers for the septic for the proposed foundation plan at the Town Hall. It will be easier to get going if the warrant article passes.

The Selectmen brainstormed sign ideas to get information to the town regarding the Town Hall vote.

Norman made a motion to enter into non-public session RSA 91-A:3, II(e) at 9:20 pm. Peter seconded and all were in favor. One legal matter was discussed.

Norman made a motion to leave non-public session and seal the minutes at 10:08 pm. Peter seconded the motion and all were in favor.

Norman adjourned the meeting at 10:09pm.

Next meeting will be held October 5, 2015 at 7:00pm in the KES Library.

Respectfully Submitted,

Michelle Aiken